

01/15/02

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NEW UTILITY PATENT APPLICATION TRANSMITTAL

DOCKET NO:

JVS110126000

Total Pages in this Submission:

32

(Only for new nonprovisional applications under 37 CFR 1.53(b))

JC979 U.S. PTO
10/04/220

10/23/01

TO THE ASSISTANT COMMISSIONER FOR PATENTSBox Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 USC 111(a) and 37 CFR 1.53(b) is a new utility patent application for an invention entitled:

SPINAL CORD REMOVAL TOOL WITH ADJUSTABLE BLADES

and invented by:

Peter Gwyther

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

- ☐ Continuation
☐ Divisional
☒ Continuation-in Part (CIP)

of prior application serial no: 09/915,099 Filed: July 25, 2001

Enclosed are:

APPLICATION ELEMENTS

1. ☒ Filing fee as calculated and transmitted as described below.
2. ☒ Specification having 16 total pages, including 5 pages of claims and 1 pages Abstract
3. ☒ Drawing(s) including 3 sheets (*when necessary as prescribed by 37 USC 113*)
 - a. ☐ Formal
 - b. ☒ Informal
4. ☒ Oath or Declaration.
 - a. ☐ Newly executed (*original or copy*) ☒ Unexecuted.
 - b. ☐ Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional applications only*)

☐ [Note Box 5 Below] **DELETION OF INVENTORS**
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
 - c. ☒ With Power of Attorney ☐ Without Power of Attorney

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APPLICATION ELEMENTS (Continued)

5. ☐ Incorporation By Reference (*This box shall be considered checked whenever Box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Computer Program in Microfiche. (*Appendix*)

7. ☐ Nucleotide and/or Amino Acid Sequence Submission. (*if applicable, all must be included*)

a. ☐ Paper Copy.

b. ☐ Computer Readable Copy. (*Identical to computer copy*)

c. ☐ Statement Verifying Identical Paper and Computer Readable Copy.

Accompanying Application Parts

8. ☐ Assignment Papers.

☐ The prior application is assigned of record to _____.

☐ An assignment of the invention to _____ is attached. (cover sheet & documents(s))

☐ 37 CFR 3.73(b) Statement. (*when there is an assignee*)

10. ☐ English Translation Document. (*if applicable*)

11. ☒ Information disclosure Statement/PTO-1449.

☒ Copies of IDS Citations

12. ☐ Preliminary Amendment.

13. ☒ Acknowledgment postcard.

14. ☒ Small Entity Status is hereby claimed ☐ Statement filed in prior application, Status still proper and desired

15. ☐ Certified Copy of Priority Document(s). (*if foreign priority is claimed*)

16. ☒ Certificate of Mailing:

☐ First Class

☒ Express Mail (Specify Label No) EL671779515US

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1.53(b))

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17. ☒ Form EFS for Filing
18. ☒ NonPublication Request Under 35 U.S.C. §122(b)(2)(B)(i)
19. ☐ Additional Enclosures. (please identify below):

Priority

20. ☐ Priority - 35 USC 119
- ☐ Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 USC 119.
- ☐ The certified copy has been filed in prior U.S. application Serial No. _____ on _____.
- ☐ The certified copy will follow.
21. ☒ Priority - 35 USC 120
- ☒ Amend the specification by inserting before the first line the following sentence:
- "This is a
- ☒ continuation- in - part
- ☐ divisional
- of copending application(s)
- ☒ Serial Number 09/915,099 filed on July 25, 2001."
- ☐ International Application No. _____ and which designated the U.S."

Inventorship Statement

22. ☒ Inventorship
- With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are)
- ☐ the same.
- ☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

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**Fee Calculation and Transmittal
CLAIMS AS FILED**

FOR	NO. FILED	NO. ALLOWED	NO. EXTRA	RATE	FEE
Total Claims	21	-- 20 =	1	x \$18.00	\$18.00
Indep. Claims	1	--- 03 =	0	x \$84.00	\$
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$
BASIC FILING FEE					\$740.00
Other Fees (specify purpose)					\$
FILING FEE CALCULATION					\$758.00
SMALL ENTITY x 50% (when Box 14 is checked)					\$ 379.00

☒ A check in the amount of \$ 379.00 to cover the filing fee is enclosed.☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 04-0566 as described below. A duplicate copy of this sheet is enclosed.☐ Charge the amount of \$ _____ as filing fee.☒ Charge or credit any under or overpayment.☒ Charge any additional filing fees required under 37 CFR 1.16 and 1.17.☐ Charge the issue fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).

Dated:

10/23/01

Anthony P. DeLio
Reg. No. 18,729**DELIO & PETERSON, LLC**
121 Whitney Avenue
New Haven, CT 06510
(203) 787-0595**Certification Under 37 CFR 1.10**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231.

Name: Kara Laudano Date: October 23, 2001

Signature:

Kara Laudano

DOCKET: JVS110126000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Peter Gwyther

TITLE: SPINAL CORD REMOVAL TOOL
WITH ADJUSTABLE BLADES

DATE: October 23, 2001

NONPUBLICATION REQUEST UNDER 35 U.S.C. § 122(b)(2)(B)(i)

Assistant Commissioner for Patents
Washington, D.C. 20231

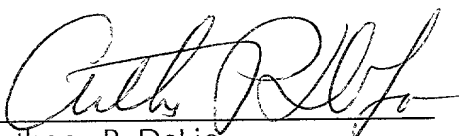
Dear Sir:

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. § 122(b).

Respectfully submitted,

Dated: 10/23/01


Anthony P. DeLio
Reg. No. 18,729

DeLIO & PETERSON, LLC
121 Whitney Avenue
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